

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**BRAYLON HUTCHISON  
ADC #176486**

**PLAINTIFF**

**v.**

**Case No. 4:20-cv-779-LPR-JJV**

**KEVIN SMITH,  
Former Jail Administrator, Lonoke County; *et al.***


**DEFENDANTS**

**ORDER**

The Court has received the Proposed Findings and Recommendations from United States Magistrate Judge Joe J. Volpe and Plaintiff's objections. After careful review of the proposed findings and recommendations, Plaintiff's objections, and the record, the Court adopts the proposed findings and recommendations in their entirety.

Accordingly, Defendants' Motion for Partial Summary Judgment (Doc. 31) is GRANTED in part and DENIED in part. Plaintiff's claims that Defendants Smith and Flud (1) violated his due process rights by putting him in punitive isolation on April 7, 2020 without a hearing and (2) subjected him to unconstitutional conditions of confinement while on suicide watch are DISMISSED without prejudice due to lack of exhaustion. Plaintiff may proceed with his remaining claims against Defendants Smith, Flud, and Berryman. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order is considered frivolous and not in good faith.

IT IS SO ORDERED this 28th day of July 2021.

  
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LEE P. RUDOFSKY  
UNITED STATES DISTRICT COURT